

H. Miscellaneous Measures

25. Internal Road Paving. KCBX shall comply with the following requirements:

a. Existing Internal Roads. KCBX shall properly maintain all Existing Internal Roads.

b. New Internal Roads. KCBX shall pave, with a durable material that is not susceptible to becoming windborne and in a manner sufficient to bear the expected level of traffic at the Terminal, all New Internal Roads.

26. Speed Limit. KCBX shall limit the speed that cars, Trucks, and mobile heavy equipment can travel within each Terminal to eight miles per hour. KCBX shall: (i) post speed limit signs at each Terminal; and (ii) direct its employees and contractors who operate cars, Trucks, or mobile heavy equipment to adhere to the speed limit.

27. Spare Parts. KCBX shall maintain spare parts as identified in Section ?? of the FDP.

I. Wastewater and Stormwater Requirements

28. KCBX shall submit a Water Management Plan (WMP) for both its North Terminal and South Terminal, which shall be approved by both Illinois EPA and EPA prior to being attached as Appendices ? and ?.

29. Each WMP shall be continually reviewed and updated as changes are made to each of the facilities that would impact the management of water on each site.

30. Each approved WMP shall include a monthly preventative maintenance inspection ~~procedure~~ that includes all storm water structural BMPs, conveyance devices, catch basins, berms, and inspection and testing of plant equipment and systems that are identified in the WMP. The inspections shall be documented on a checklist that is included in the WMP and that includes, at a minimum, the inspected device/item, the location on the facility, if any spilled or leaked material were identified, 5 day precipitation history, the condition of the device/item, if the item was changed/fixed since the last monthly inspection and the date and description of the change/fix. Records for each preventative maintenance plan shall be maintained within the WMP and submitted to IEPA and EPA by the 31st of July for the periods of January to June and January 31st for the periods of July through December. At least one of the six inspections for each semiannual period shall be done during or immediately following a rainfall event of greater than 0.5 inches in a 24 hour period. At least one of the six inspections for each semiannual period shall be done with 2 days of snowfall of greater than 0.5 inches.

31. Each approved WMP shall include a quarterly inspection of the perimeter of the facility to ensure that there are no water discharges from the site. Each quarterly visual observation shall be conducted during a rainfall event of 0.5 inches (data from where?) of rain in a 24 hour period or during snowmelt, and water must be observed to be flowing at the time of

Commented [A11]: KCBX: We understand that you already have paved all Existing Internal Roads. We will mention that in a Whereas Clause and have eliminated it here.



Justification for Change
and

inspection. The quarterly inspection will document and certify that no water from the site being discharged to the city of Chicago storm sewers on 100th street or into the Calumet River or any other location off of KCBX's property (absent of the rail lines?). An inspection form/checklist for the quarterly inspection will be part of the WMP and will be completed for each inspection and maintained with the WMP. The inspection will identify on a map the location of any discharges, the final disposition of any discharged water, and the source of the each discharge.

32. If a discharge is observed KCBX shall collect samples from the discharge and have them analyzed for pH, TSS, and O&G (?) (SURFACTANTS? BOD because of HCHO and other binding agents) using 40 CFR Part 136 methods. Sample results, including the Chain of Custody will be maintained with the WMP and submitted to IEPA and EPA within 30 days of identification of any the discharge.

33. Good housekeeping practices shall be recorded and maintained

34. Annual Inspection/WMP review

35. An updated version of the WMPs shall be submitted to IEPA and EPA by July 31st and January 31st. The July 31st submittal shall include all records up to the end of June and the January 31st submittal shall include all records up to the end of December.

36. KCBX shall prepare and submit a plan for IEPA and EPA approval to treat and discharge process wastewater and storm water from the site that includes conveyance to the sedimentation pond, treatment, and discharge to either the Calumet or sanitary sewer.

37. Any additional NPDES permits issued to KCBX shall be incorporated into the existing WMP.

38. Inspect the sheet pilings

J. Open Dumping

39. By no later than thirty (30) days after the Date of Entry, KCBX shall submit a plan to IEPA for review and approval regarding the management of any pile(s) at the Terminals containing any materials other than Petroleum or Coal (the "Pile Management Plan"). The proposed Pile Management Plan shall include a schedule for implementation. If IEPA approves with conditions or disapproves of the Pile Management Plan, KCBX shall, within a time set forth in the IEPA's written approval with conditions or disapproval, submit a revised plan to IEPA that addresses all identified conditions or deficiencies. Until IEPA fully approves the Pile Management Plan, KCBX shall respond to IEPA's conditions or deficiencies in writing within the timeframes set forth in the IEPA's written approvals with conditions or disapprovals. Upon receipt of IEPA's approval of the Pile Management Plan, KCBX shall comply with the terms and provisions of the Pile Management Plan.

K. Recordkeeping

Commented [A12]: KCBX: This language has not yet been reviewed by relevant folks in R5, so U.S. EPA reserves its right to seek changes or revisions to this Paragraph.